

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:00-00000

Chapter

#0.00 The 10:00 am calendar will be conducted remotely, using ZoomGov video and audio.

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

Video/audio web address: <https://cacb.zoomgov.com/j/1611123889>

Meeting ID: 161 112 3889

Password: 888956

Telephone Conference Lines: 1 (669) 254-5252 or 1 (646) 828-7666

Meeting ID: 161 112 3889

Password: 888956

Docket 0

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:08-11669 Mahboob Talukder

Chapter 7

Adv#: 1:20-01069 Chicago Title Insurance Company v. Talukder

#1.00 Status Conference Re Complaint to
Determine Dischargeability Under
11 U.S.C. Sec. 523(a)(2)(A) and
523(a)(3)(B)

fr. 9/15/20, 12/22/20, 2/2/21, 2/23/21; 6/8/21; 8/24/21

Docket 1

***** VACATED *** REASON: Stipulation approving entry of judgment
11/8/21**

Tentative Ruling:

The has been settled by written stipulation, which was filed on 11/7/21. The Court signed the order on 11/7. Off calendar.

Party Information

Debtor(s):

Mahboob Talukder

Represented By
Andrew Edward Smyth
William H Brownstein

Defendant(s):

Mahboob Talukder

Pro Se

Joint Debtor(s):

Cristina Talukder

Represented By
Andrew Edward Smyth

Plaintiff(s):

Chicago Title Insurance Company

Represented By
Karen A Ragland

Trustee(s):

Amy L Goldman (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Mahboob Talukder

Chapter 7

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

#2.00 Motion for relief from stay

THE BANK OF NEW YORK MELLON

Docket 1887

***** VACATED *** REASON: Cont'd to 12/21/21 at 10:00 per order #1895.
If**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Shirley Foose McClure

Represented By
Andrew Goodman
Yi S Kim
Robert M Scholnick
James R Felton
Faye C Rasch
Faye C Rasch
Lisa Nelson
Michael G Spector

Movant(s):

THE BANK OF NEW YORK

Represented By
Dane W Exnowski

Trustee(s):

John P. Reitman

Represented By
John P. Reitman
Jon L. Dalberg
Rodger M. Landau

**United States Bankruptcy Court
Central District of California
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Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

#3.00 First Interim Fee Application for Allowance of Fees by Swicker & Associates, Accountancy Corporation, Accountants for the Chapter 11 Trustee for Swicker & Associates Accountancy,

Accountant, Period: 4/23/2018 to 5/31/2021,
Fee: \$161,386.00,
Expenses: \$2,108.79.

fr. 7/13/21; 8/24/21

Docket 1811

***** VACATED *** REASON: Cont'd to 12/21/21 at 10:00 a.m. per order #1893. If**

Tentative Ruling:

Ms. McClure seeks a continuance to object to this fee application due to a delay in receiving documents that she requested from the Trustee. It appears to the Court that she is seeking information as to whether the various tax returns and tax basis of fixed assets were correctly calculated. The Trustee has turned over some documents and noted that the tax returns have been finalized and are now done and not subject to appeal. But this does not resolve whether those involved in filing them did it correctly and should be fully compensated for the work.

Beyond that, Ms. McClure questions the hourly rate and overall charge when compared to that of Squar Milner, her prior accountant for the estate.

At the hearing, I will need Ms. McClure to walk me through the specific issues that she is raising and what is located in the "missing" documents that will help her analyze the issues. And we will also look at the comparative hourly rate and overall charge. As to the "missing" documents, If she cannot show their relevance, I will overrule that portion of the opposition.

This is an interim application since it appears that there is more work that may need to be done.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

Party Information

Debtor(s):

Shirley Foose McClure

Represented By

Andrew Goodman

Yi S Kim

Robert M Scholnick

James R Felton

Faye C Rasch

Faye C Rasch

Lisa Nelson

Michael G Spector

Trustee(s):

John P. Reitman

Represented By

John P. Reitman

Jon L. Dalberg

Rodger M. Landau

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

#4.00 Application of Landau Law LLP as Counsel
to the Chapter 11 Trustee, John P. Reitman,
for Approval of Compensation and Reimbursement
of Fees and Expenses; Declaration of
Jon L.R. Dalberg In Support

Period: 8/3/2016 to 4/30/2021,
Fee: \$1,455,033.00,
Expenses: \$25,029.36.

fr. 7/13/21; 8/24/21

Docket 1818

***** VACATED *** REASON: Cont'd to 12/21/21 at 10:00 a.m. per order
#1893. If**

Tentative Ruling:

This, of course, is the largest fee application. I have some issues that I will need to work through as to the work done by the law firm as opposed to that done by the Trustee. Also, I seem to remember major delays in this case due to Mr. Reitman's health. I wonder whether the firm stepped in to fill the gap and whether the estate should pay for that. And over time Ms. McClure has complained that Mr. Reitman did not meet with her (and perhaps her attorney) to discuss the case and work with her for the best outcome as to the disposition of properties and the status of the Litt and the Tidus matters. While this might be directed to the Trustee's fees (which are not before the Court at this time), I am willing to deal with all of these, but need to do so in an organized fashion. Ms. McClure points out that in the tentative ruling for the 8/16/16 hearing I advised Mr. Reitman of the need to keep a close handle on fees and not pass on to attorneys work that is properly done by the Trustee himself. I also indicated that Ms. McClure might be able to provide some assistance, but I did not order her to do so or him to accept.

In his application for appointment, Mr. Reitman agrees that Landau, Gottfried, and Berger (LGB) will not provide any services for the Le Faubourg-St. Gilles condominium owners' assn in connection with this case. The real issue

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room

303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

here is that in 2010, McClure sought representation by LGB because Lisa Nobles, had represented Ms. McClure while Ms. Noble was at SulmeyerKupetz. Ms. Nobles moved to LGB and Ms. McClure wanted her to continue her representation. LGB declined that representation in 2010 and again in 2012 and 2014. In 2013, Ms. Nobles left LGB and moved to Colorado. Ms. Nobles did not provide any privileged information to Mr. Reitman. Similarly, Mr. Landau and Mr. Dahlberg received no such information. Mr. Reitman states that in "an abundance of caution, Mr. Landau, the managing partner who made the determinatin to decline the representation of the Debtor, will not work on this matter or participate in anyeay." [dkt. 1107, p. 10-11] This is largely because Mr. Landau was the managing partner and made the determination to decline representing Ms. McClure. There is no indication that he had any privileged information or even any memory of why he declined representation.

Ms. McClure wishes the Court to take judiicial notice of the above and, although the Trustee and LGB object, the Court will do so. The issue is whether the participation of Roger Landau, as shown on the time sheets of LBG, is material and a conflict of interest. Please note that the Court never ruled as to the conflict of interest issue given the willingness of the Trustee and of LBG to exclude Mr. Landau from participation in this case.

A main objection today concerns the involvement of Roger Landau and a possible conflict of interest, which could substantially impact whether the Court should and will award any or all fees requested by this firm. The examples given by Ms. McClure do not arise to the level of a conflict. Perhaps if Ms. McClure puts out a list of each event along with its description and the amount of time, the Court may find otherwise. But it is not up to the Court to search the multiple entries in the time sheets looking for these.

As to the issue of what work should have been done by the Trustee and what by his counsel - that is very important. But the Court will take this up when the Trustee puts in his fee application. The Court want to compare the two time sheets before making a determination. there are other issues raised in the preliminary objection which go to actions by the Trustee in managing the properties and the case. These are also important, but they go to the fees to be awarded to the Trustee, although perhaps also to those of his counsel.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

The Court will defer making a determination on the Landau application. When the Trustee files his own application, the Court intends to take sufficient time and work through both of these. It will also give Ms. McClure a reasonable amount of time to describe each issue and provide the specific details as well as the references in the fee applications.

Party Information

Debtor(s):

Shirley Foose McClure

Represented By
Andrew Goodman
Yi S Kim
Robert M Scholnick
James R Felton
Faye C Rasch
Faye C Rasch
Lisa Nelson
Michael G Spector

Trustee(s):

John P. Reitman

Represented By
John P. Reitman
Jon L. Dalberg
Rodger M. Landau

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

#5.00 Application of John P. Reitman, Chapter 11 Trustee, for Order Authorizing Employment of Coldwell Banker (William Friedman and Greg Bingham) as Broker and Agents in Connection with the Listing and Sale of 3401 Gregory Avenue, Fullerton, California

fr. 5/25/21, 7/13/21; 8/24/21

Docket 1798

***** VACATED *** REASON: Cont'd to 12/21/21 at 10:00 a.m. per order #1893. If**

Tentative Ruling:

THE FOLLOWING TENTATIVE RULING WAS POSTED FOR 7/13, HOWEVER THE PARTIES HAVE STIPULATED TO A CONTINUANCE. THEREFORE THE HEARING ON THIS MATTER WILL TAKE PLACE ON AUGUST 24, 2021 AT 10:00 A.M. But it appears that there are still settlement discussions taking place. What is the status?

It appears that the parties now agree that Jason McClure has a 50% interest in the property. There is an adversary action to allow the Trustee to sell the Gregory property free and clear of his interest (also to seek reimbursement of estate funds expended on the property). It appears that the actual amount paid by the estate was for insurance (\$6,187.52) and that property taxes will have to be paid as part of the sale (ca. \$27,000). There is a status conference on that adversary proceeding.

As to the listing, the Trustee's Reply estimated sale proceeds of \$580,000 with a net equity of \$512,400. He asserts that the estate would receive \$273,000 and Jason would keep about \$256,000. However, this does not take into consideration the homestead exemption of Shirley McClure. If it is \$175,000 (and the Court is not sure of this amount), the estate would net about \$100,000.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

Although Ms. McClure contends that this would all go to administrative expenses and also that it would be a tremendous hardship for her to move due to her physical condition, I believe that I must allow the listing unless the McClures are able to "buy out" the estate's interest in the amount of about \$100,000. We can talk about this at the hearing.

Party Information

Debtor(s):

Shirley Foose McClure

Represented By

Andrew Goodman

Yi S Kim

Robert M Scholnick

James R Felton

Faye C Rasch

Faye C Rasch

Lisa Nelson

Michael G Spector

Trustee(s):

John P. Reitman

Represented By

John P. Reitman

Jon L. Dalberg

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

#6.00 First and Final Application of Greenberg & Bass, LLP
for Payment of Fees and Reimbursement of Expenses
by Former Attorneys for Debtor and Debtor-in-Possession
for the Period December 21, 2012 through the Date of
the Filing of this Application for Greenberg & Bass, LLP,
Debtor's Attorney,

Period: 12/21/2012 to 3/22/2016,
Fee: \$257,228.00,
Expenses: \$33,053.52.

fr. 8/24/21

Docket 966

***** VACATED *** REASON: Cont'd to 12/21/21 at 10:00 a.m. per order
#1893. If**

Tentative Ruling:

Ms. McClure hired Greenberg and Bass (G&B) as her attorneys before this chapter 11 case was filed and they were the attorneys who filed the case on her behalf. She substituted them out and replaced them with herself *in pro per* about 18 months after the case was filed. They filed their fee application in 2016 (dkt. 996) and it was to be heard on 4/12/16, but the notice of hearing was withdrawn and it was never reset until now.

At the April 5, 2016 hearing on various other matters, I stated that *"I do depend in this case, more than I ever have in almost any case, on Ms. McClure monitoring her counsel's fees because she is very active, she's very sophisticated. She's worked effectively as a paralegal on her own cases here for over a decade. So I'm depending very highly on this."* [dkt. 992, p. 5]

The tentative ruling for 4/12/16 began with the following:
Greenberg and Bass are the Debtor's former attorneys. They seek \$257,228 in fees and \$33,053.52 in costs. This is their first and final fee application. \$98,647.40 remains from their retainer.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

This has been a difficult case and has required a lot of administrative work by McClure's general counsel. I have no doubt that the work was done. Some was very effective and some may not have been. It was difficult early on in this case to make decisions while the Litt fee appeal was pending.

The Court has great confidence in Ms. McClure to advise it of any issues concerning the fees of her professionals. Throughout both of her cases, she has acted as a paralegal and been much more active than a normal client. That may not have been the wisest choice on her part in this case, but it does mean that she has unique knowledge of the services provided to her by her professionals.

Because no hearing was set until now, Ms. McClure did not file an opposition until now.

Per the errata filed on 6/24/21, G&B received a retainer of \$126,046.46 and \$26,398.60 was drawn down from the trust prior to filing of the petition and those fees and costs are not part of this application. The application is for a total of \$290,281.52 of which \$191,634.12 is still unpaid.

Ms. McClure requests more time to do an item-by-item review and object to specific charges. She states that she needs that additional time to obtain items from the Trustee in order to evaluate how the "negative" work of G&B impacted the outcome on the estate.

The one specific objection is that G&B charged too much to prepare "simple" real estate broker and attorney employment applications and that these should have been done by a paralegal or a legal secretary. The application states that G&B prepared and filed 14 employment applications for other professionals (including various real estate brokers), which took 70.30 hours and totalled \$19,997.50 and that they responded to the U.S. Trustee objections to their application and Litt's objections to those of two other attorneys for 13.90 hours and \$3,842. They did not request any compensation for preparing their own fee application or for preparing or defending their application to be employed - see, for example the listings on dkt. 966, p. 22-23, 27-28 though they were certainly entitled to it.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

A review of the billing records shows that some of the work on applications for employment was done by Andrew Goodman, who was the lead attorney on the case, but it appears that most was done by Yi Sun Kim, who was an associate at a billing rate of \$145 below that of Mr. Goodman. The Court understands the impression that much of this work may be "rote" and can be done by a paralegal or legal assistant, but that is not necessarily the case. The forms certainly existed, but tailoring them to each specific person and how that person fits into the case requires a detailed knowledge of the case ... particularly when there is an active creditor like Litt, who is ready to object. And as to the objection of the OUST to the G&B employment, the firm did not charge for that work.

Reviewing the general work categories, all of this was necessary and most needed to be done by an attorney. As to the OUST reports, the work on those were largely done by Stephen Baumgarten and Theresa Krant. Mr. Baumgarten is listed as a paralegal and Ms. Krant, who did most of the work, appears to be a paralegal and has a much lower billing rate than Mr. Baumgarten.

Ms. McClure had multiple properties that needed to be dealt with and it was hoped to confirm a plan early in this case - though that was not meant to be. The Court is not sure whether there would have been a better outcome had Ms. McClure stuck with this firm or the next attorney or the one after that. Her desire to fight Litt tooth-and-nail and use her own skill as a paralegal to second-guess her counsel and remove them in an attempt to save money or maintain control ended up costing her dearly.

The Court does not see how obtaining discovery from the Trustee is relevant to Ms. McClure preparing objections to this application. Counsel cannot be held responsible for the failure to confirm a plan given the circumstances of this case, the matters on appeal (particularly the Litt judgment for fees) and the desires of Ms. McClure.

Approve the fee request as filed subject to a clarification by the Trustee as to the fact that this is a final application for fees rather than an interim one.

Party Information

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

Debtor(s):

Shirley Foose McClure

Represented By
Andrew Goodman
Yi S Kim
Robert M Scholnick
James R Felton
Faye C Rasch
Faye C Rasch
Lisa Nelson
Michael G Spector

Trustee(s):

John P. Reitman

Represented By
John P. Reitman
Jon L. Dalberg
Rodger M. Landau

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

#7.00 Status conference re: ch 11 case

fr. 1/24/2013, 4/30/13, 5/14/13, 7/23/13, 8/6/13,
9/17/13, 9/24/13, 11/19/13, 12/17/13, 1/21/14, 2/18/14,
3/11/14, 4/15/14, 5/6/14, 6/24/14, 9/9/14, 9/23/14,
10/7/14, 11/24/14, 1/6/15, 1/20/15, 2/10/15, 3/10/15,
4/28/15; 5/12/15; 9/29/15, 10/22/15, 12/8/15, 3/1/16,
6/7/16, 7/12/16, 8/16/16, 10/11/16; 12/20/16, 4/4/17,
5/16/17; 6/27/17, 7/11/17, 9/19/17, 11/14/17, 11/28/17,
12/19/17, 1/9/18, 3/19/18, 3/27/18, 5/1/18, 6/5/18; 6/26/18,
7/9/18; 8/7/18, 11/6/18; 12/18/18; 1/29/19; 2/12/19; 3/5/19
3/26/19; 4/16/19, 8/6/19, 10/8/19; 10/22/19, 11/19/19,
11/17/20, 4/20/21(vacated - moved to 2/23/21), 2/23/21;
5/4/21, 5/25/21, 7/13/21, 8/24/21

Docket 1

***** VACATED *** REASON: Cont'd to 12/21/21 at 10:00 a.m. per order
#1893. If**

Tentative Ruling:

Continued without appearance to August 24, 2021 at 10:00 a.m.

Party Information

Debtor(s):

Shirley Foose McClure

Represented By
Andrew Goodman
Yi S Kim
Robert M Scholnick
James R Felton
Faye C Rasch
Faye C Rasch
Lisa Nelson
Michael G Spector

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

Trustee(s):

John P. Reitman

Represented By
John P Reitman
Jon L Dalberg

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

#8.00 First Interim Fee Application for Allowance of Fees by Swicker & Associates, Accountancy Corporation, Accountants for the Chapter 11 Trustee for Swicker & Associates Accountancy,

Accountant, Period: 4/23/2018 to 5/31/2021,
Fee: \$161,386.00,
Expenses: \$2,108.79.

fr. 7/13/21; 8/24/21

Docket 1811

***** VACATED *** REASON: Duplicate entry.**

Tentative Ruling:

Ms. McClure seeks a continuance to object to this fee application due to a delay in receiving documents that she requested from the Trustee. It appears to the Court that she is seeking information as to whether the various tax returns and tax basis of fixed assets were correctly calculated. The Trustee has turned over some documents and noted that the tax returns have been finalized and are now done and not subject to appeal. But this does not resolve whether those involved in filing them did it correctly and should be fully compensated for the work.

Beyond that, Ms. McClure questions the hourly rate and overall charge when compared to that of Squar Milner, her prior accountant for the estate.

At the hearing, I will need Ms. McClure to walk me through the specific issues that she is raising and what is located in the "missing" documents that will help her analyze the issues. And we will also look at the comparative hourly rate and overall charge. As to the "missing" documents, If she cannot show their relevance, I will overrule that portion of the opposition.

This is an interim application since it appears that there is more work that may need to be done.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

Party Information

Debtor(s):

Shirley Foose McClure

Represented By

Andrew Goodman

Yi S Kim

Robert M Scholnick

James R Felton

Faye C Rasch

Faye C Rasch

Lisa Nelson

Michael G Spector

Trustee(s):

John P. Reitman

Represented By

John P. Reitman

Jon L. Dalberg

Rodger M. Landau

**United States Bankruptcy Court
Central District of California
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Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:13-10386 Shirley Foose McClure

Chapter 11

Adv#: 1:21-01021 Reitman v. McClure

#9.00 Status Conference Re: Amended Complaint for
(1) for Declaratory Relief that the Trustee
May Sell Real Property of the Estate Located
at 3401 Gregory Avenue, Fullerton, California
Free and Clear of 5% Tenant in Common
Interest of Jason McClure Pursuant to 11 U.S.C.
§ 363(h), (i)) and (j));
(2) Reimbursement of Estate Funds Expended
to the Benefit of Such Interest; and
(3) for Associated Injunctive Relief Nature of
Suit: (31 (Approval of sale of property of estate
and of a co-owner - 363(h))), (14 (Recovery of
money/property - other)), (72 (Injunctive relief - other))

7/13/21, 8/24/21

Docket 11

Tentative Ruling:

Continued without appearance to December 21, 2021 at 10:00 a.m.

Party Information

Debtor(s):

Shirley Foose McClure

Represented By
Andrew Goodman
Yi S Kim
Robert M Scholnick
James R Felton
Faye C Rasch
Faye C Rasch
Lisa Nelson
Michael G Spector

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Shirley Foose McClure

Chapter 11

Defendant(s):

Jason McClure

Pro Se

Plaintiff(s):

John P. Reitman

Represented By
Jon L. Dalberg

Trustee(s):

John P. Reitman

Represented By
John P. Reitman
Jon L. Dalberg

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:15-14213 Michael Robert Goland

Chapter 7

Adv#: 1:20-01063 Burk v. Zamora

#10.00 Status Conference Re: First Amended Complaint for

- 1) Declaratory Judgment
- 2) Breach of Fiduciary Duty - Seizure of Rent and Failure to Manage Asset Property
- 3) Breach of Fiduciary Duty - Failure to Manage Estate Assets Property for Benefit of Creditors

fr. 1/12/21, 2/23/21; 4/20/21, 7/13/21,

Docket 32

***** VACATED *** REASON: Case closed.**

Tentative Ruling:

There is a notice of voluntary dismissal filed by plaintiff on 9/29/21. This was settled through mediation. No answer had ever been filed. Off calendar.

Prior tentative ruling

See tentative ruling on motion to compromise. Where do we go from here? I wonder whether the Trustee should just step out of this and let the parties fight it out in state court. I would be willing to award the Trustee a reasonable reimbursement for administering the rents and she can interplead the rest. It will have nothing to do with the bankruptcy.

Party Information

Debtor(s):

Michael Robert Goland

Represented By
David S Hagen

Defendant(s):

Nancy Zamora

Represented By
Jessica L Bagdanov

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Michael Robert Goland

Chapter 7

Plaintiff(s):

Gerry Burk

Represented By
Michael N Sofris

Trustee(s):

Nancy J Zamora (TR)

Represented By
Jessica L Bagdanov
David Seror
Ezra Brutzkus Gubner

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:15-14213 Michael Robert Goland

Chapter 7

Adv#: 1:20-01115 Cohen v. Gerry Burk, an individual and as Trustee of the 57

#11.00 Status Conference re Complaint for
(a) Declaratory Relief; (b) Breach of Fiduciary
Duty-Seizure of Rent and Failure to Manage
Asset Property; and (c) Breach of Fiduciary
Duty-Failure to Manage Estate Assets
Properly for Benefit of Creditors;

fr. 2/2/2; 4/20/21, 7/13/21

Docket 1

Tentative Ruling:

Nothing new filed as of 11/6.

Prior tentative ruling (7/13/21)

See tentative ruling on motion to compromise. Where do we go from here? I wonder whether the Trustee should just step out of this and let the parties fight it out in state court. I would be willing to award the Trustee a reasonable reimbursement for administering the rents and she can interplead the rest. It will have nothing to do with the bankruptcy.

Prior tentative ruling (4/20/21)

On 4/14/21, the Gerry Burk defendants filed a unilateral status report. This is stayed as to the Trustee. Because the plaintiff is in proper, there is no one to reach out to for a Rule 26 meeting. As to moving this case forward, Mr. Burk and Triple Images are subject of a criminal proceeding for fire code violations. It may be necessary to stay these proceedings until that is completed so as to deal with a 5th amendment claim by the Burk defendants in that proceeding. The Burk defendants anticipate a 1-2 day trial in this case and need until December to complete discovery. Gerry Burk and the Trustee resolved their adversary proceeding through a mediation in November 2021.

This case involves the issue of ownership of the property on Compton Ave.

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Michael Robert Goland

Chapter 7

While some discovery might be limited due to the criminal action, it seems that there is discovery from third parties that can go forward. How does Mr. Cohen intend to proceed? Will he be hiring an attorney?

Party Information

Debtor(s):

Michael Robert Goland

Represented By
David S Hagen

Defendant(s):

Gerry Burk, an individual and as

Pro Se

Nancy Zamora, as Chapter 7 Trustee

Pro Se

Plaintiff(s):

David Cohen

Pro Se

Trustee(s):

Nancy J Zamora (TR)

Represented By
Jessica L Bagdanov
David Seror
Ezra Brutzkus Gubner

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

1:20-11006 Lev Investments, LLC

Chapter 11

Adv#: 1:21-01020 Lev Investments, LLC v. Feygenberg et al

#12.00 Status Conference re: First Amended Complaint Objecting to Claim and Counterclaim filed by Plaintiff Lev Investments, LLC).

Docket 23

Tentative Ruling:

Per the status report, mediation failed and the parties are going forward with discovery. Both sides think that trial in April can happen. Both want a pretrial conference. Given the aggressive handling of the Lev Investments claims matters, I believe that discovery will take place without a lots of status conferences. But let's have one in February so that we can set a pretrial date.

If you both agree to this, there is no need to appear at the 11/9 status conference. Continued to February 8, 2022 at 10:00 a.m.

Party Information

Debtor(s):

Lev Investments, LLC

Represented By
David B Golubchik
Juliet Y Oh
Richard P Steelman Jr

Defendant(s):

Ruvn Feygenberg

Represented By
John Burgee

Michael Leizerovitz

Represented By
John Burgee

Sensible Consulting and

Represented By
John Burgee

**United States Bankruptcy Court
Central District of California
San Fernando Valley
Judge Geraldine Mund, Presiding
Courtroom 303 Calendar**

Tuesday, November 9, 2021

Hearing Room 303

10:00 AM

CONT... Lev Investments, LLC

Chapter 11

Plaintiff(s):

Lev Investments, LLC

Represented By
Juliet Y Oh
David B Golubchik

Trustee(s):

Caroline Renee Djang (TR)

Pro Se